



Damon Wheeler #78063054
F.C.I. Cumberland
P.O. Box 1000
Cumberland, MD. 21501

January 4, 2019

Re: Wheeler v. Artola #16-cv-7440 (LMS)

Clerk, U.S. District Court, S.D.N.Y.

300 Quarropas St.

White Plains, N.Y. 10601

Your Honor:

In the matter of Wheeler v. Artola, et al., #16-cv-7440
which is set for trial on February 20, 2019 before Hon.
Lisa Margarette Smith, U.S.M.J., At the Charles L. Brien +
U.S. Courthouse located at 300 Quarropas Street, White
Plains, N.Y. 10601, Pro se Plaintiff submits this Pre-Trial
List of Exhibits, Witness Information and Voir dire Questions:

List of Exhibits

1. A copy of the cellphone video of the initial traffic stop on April 5, 2014 along with the original cellphone (as proof that the cellphone was intentionally RESET while in the custody of the City of Middletown Police Dept. when it was unlawfully confiscated on April 26, 2014).

2. Letter to the Court From Pro se Plaintiff dated March 29, 2017 informing the Court that we are sending A copy of the Video and the cellphone in compliance with Discovery requests.
3. Final Decision And Order of Hon. Lisa Margarette Smith regarding Summary Judgment in the matter of Wheeler v. Artola, et al. dated September 25, 2018.
4. The Sixth Amended Complaint — Wheeler v. Artola # 16-cv-7440.
5. Complete copies of Arrest Report, Case Report, Incident Report, Subject Resistance Report, Misdemeanor/Felony Complaint (s) And Supplemental Narrative of the April 5, 2014 Arrest submitted by Det. Ahmed Artola And P.O. Johnathan McHugh.
6. Intra Agency Memos of Sgt. Tobin, Lt. Thaelen, Lt. Ewanciw And Chief Bethencourt of the City of Middletown Police Dept.
7. Injury Photos taken At the City of Middletown Police Dept. by Sgt. Tobin on April 5, 2014 And Photograph Log.
8. Orange County Sheriff's Office Prisoner Body Receipt And Pre-Custody Injury Report dated April 5, 2014.
9. Orange County Sheriff's Office Pre-Booking Injury Photos dated April 5, 2014.
10. Hospital Report dated April 5, 2014 — Orang Regional Medical Center

11. City of Middletown Police Dept. Policy And Procedures regarding Arrest Procedures, Vehicle And Traffic Enforcement And Treatment of Prisoners.
12. Criminal Disposition Reports dated January 18, 2017 And January 24, 2017.
13. Letter From Orange County D.A. David M. Hoovler regarding the disposition of the April 5, 2014 Arrest.
14. Transcript of the June 20, 2014 plea Allocution.
15. Rap Sheet of Damon Wheeler.
16. Affidavit of Thandiwe Boyd, the wife of plaintiff regarding damages suffered by plaintiff AS A result of this incident.
17. Mental Health Records of Damon Wheeler.

Voir dire Questions

1. Are you or any member of your family a member of law enforcement, U.S. military or the criminal justice system?
2. Do you believe that all law enforcement officials are completely honest, truthful and above reproach?
3. IF you witnessed a police officer commit a crime or violate someones constitutional rights would you

testify against them or stand out against it?

4. Do you believe in the U.S. Constitution and do you know and understand your constitutional rights?

5. Are you likely or not likely to believe or accept the testimony of a common person against a police officer if the facts and the evidence presented are indisputable?

6. Are you prejudice against minorities or people from the inner-city?

7. What sort of T.V. shows do you watch, including news channels, radio stations, social media news feeds, and what newspapers, magazines and periodicals do you read?

8. Have you ever been to or heard of Middletown, New York? Do you have family, friends or associates in that area?

witness List

1. Thandiwe Boyd, 24 Mila Drive, Middletown, N.Y. 10940.

Dated: Cumberland, MD.

January 4, 2019

Damon Wheeler

cc: Alex Smith, Esq,
16 James St.
Middletown, N.Y. 10940

Damon Wheeler #78063054
FBI. Cumberland
P.O. Box 1000

-4 Cumberland, MD. 21501

Affidavit of Service

STATE OF MARYLAND

ss:

COUNTY OF ALLEGANY

Damon Wheeler, being duly sworn, deposes and says:

I am the Pro se Plaintiff in this matter of Wheeler v. Artola, et al., #16-CV-7440 (LMS) and have placed three (3) copies of Final Pre-Trial Documents including Voir dire questions, List of Exhibits and witness information, in a mailbox located at F.C.I. Cumberland, P.O. Box 1000, Cumberland, MD. 21501 to the following address:

Clerk, U.S. District Court, S.D.N.Y.
300 Quarropas St.
White Plains, N.Y. 10601

Dated: Cumberland, MD.
January 4, 2019

Damon Wheeler
Damon Wheeler #78063054
F.C.I. Cumberland
P.O. Box 1000
Cumberland, MD. 21501

cc: Alex Smith, Esq.